

REMARKS

Paragraph [0028] of the specification has been amended to indicate that reference letters A, B, C, D, E and F show connection points between Figs. 2A, 2B and 2C to form a complete circuit. Applicant submits that this amendment to the specification overcomes the Examiner's objection to the drawings.

Applicant encloses a Terminal Disclaimer in view of co-pending Application Serial No. 10/812,181. Therefore, Applicant respectfully requests withdrawal of the double patenting rejection.

With regard to the rejection under 35 U.S.C. §1.112, Applicant submits that claim 6, 14 and 16-21 are enabled. Fig. 1 shows that upstream data from Output B, for example, is combined with a video signal and a downstream data signal from the video source 12 at the input to amplifier 24a for supply to the second port 32a and then to receiver 18a. Fig. 3 illustrates that data signals sent upstream from the receivers 118 are combined with downstream video and data and supplied to the other video receivers. Therefore, Applicant submits that the specification and drawings teach one of ordinary skill in the art how to make and use the invention described in claims 6, 14 and 16-21.

Paragraph [0003] of the application states that "it would be desirable to transmit data signals from one of the receivers to the other receivers in an upstream direction on the same ports on which the downstream signals are transmitted." Paragraph [0004] states, "What is needed in the art is a video system that includes active devices that transmit signals in a downstream direction from an input to a plurality of outputs, and that yet allows signals to be transmitted in an upstream direction from the outputs to the input, or from an output to other outputs, wherein the signal transmission may be bi-directional on an individual port." Emphasis added. Paragraph [0010] states that "another advantage is that an output device may bypass a downstream directed active device, such as an amplifier, to thereby send signals upstream to an input device and to other output devices." Emphasis added. In other words, by supplying data signals from the receiver outputs back to the inputs of the amplifiers or active devices, data signals from receivers may be transmitted back to the video source and to other receivers.

THE EXAMINER'S REJECTIONS

The Examiner rejected claims 1-21 under 35 U.S.C. §103(a) as being obvious in view of U.S. Patent No. 5,826,167 to Jelinek et al. (hereinafter "Jelinek").

headend 30 at different frequencies. Jelinek does not disclose or suggest transmitting data signals from one subscriber terminal 10 to another.

For at least these reasons, Applicant submits that independent claim 8 patentably defines the invention over Jelinek. Therefore, Applicants submit that independent claim 8, as well as dependent claims 9-15, are in condition for allowance. Such action is respectfully requested.

Claim 16

Independent claim 16 has also been amended to more particularly point out and distinctly claim that "each said active device being operable to transmit both active video signals from the video source and the data signals from said second ports received at the input of said active device to the second port corresponding to said active device". Applicant submits that this is what was meant by the phrase "bypass circuitry operable to transmit data signals from each of the second ports to ... the inputs of said active devices such that the data signals bypass said active devices" in original claim 8. Therefore, the amendment is not a narrowing amendment.

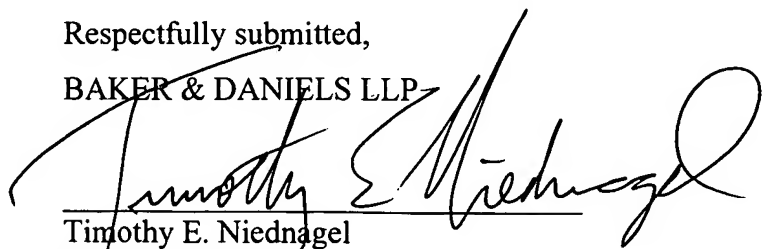
As discussed above, Jelinek discloses transmitting signals from a headend 30 of a cable television system to a subscriber terminal 10 and from the subscriber terminal 10 back to the headend 30 at different frequencies. Jelinek does not disclose or suggest transmitting data signals from one subscriber terminal 10 to another.

For at least these reasons, Applicant submits that independent claim 16 patentably defines the invention over Jelinek. Therefore, Applicants submit that independent claim 16, as well as dependent claims 17-21, are in condition for allowance. Such action is respectfully requested.

In the event that the examiner has questions related to this Amendment, or to the application in the general, the undersigned would appreciate the opportunity to address those questions in a telephone interview to expedite the prosecution of this application for all concerned.

Respectfully submitted,

BAKER & DANIELS LLP

A large, stylized handwritten signature in black ink, which appears to read "Timothy E. Niednagel". The signature is written over a horizontal line.

Timothy E. Niednagel
Reg. No. 33,266